Honorable Marc L. Barreca

FILED

Western District of Washington at Seattle

AUG & 1 2012

MARK L. HATCHER, CLERK OF THE BANKRUPTCY COURSE

# THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In Re

ADAM R. GROSSMAN

NO. 10-19817

STATEMENT IN OBJECTION TO PROPOSED ORDER ON CLAIMS: JILL BORODIN

STATEMENT IN OBJECTION TO PROPOSED ORDER ON CLAIMS: JILL BORODIN Page 1 Of 5 ADAM R. GROSSMAN
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First, the claim was submitted not pro se but with the assistance of counsel who erroneously included judgments, often void, of which already half have been discarded as improper by the trustee due to the attempted inclusion of amounts after the date of conversion.

**Counsel Should Know Better** 

## **Duplicated Claim**

Second, it includes the same \$6,000 entry on the claimant's employer's claim (see related objection) which was,

- 1. resulting from a void judgment, that,
- 2. was caused by a void decree, which,
- 3. was requested by claimant requiring an error of law,
- 4. was obtained by claimant during an action in which her sworn testimony was used in support of a motion the prior court day that, "financial issues... could not be decided" and "financial matters were off the table"; and,
- 5. remains subject to discretionary appeal by the Washington State Supreme Court;
- 6. is in fact preferential payment of unsecured third party debt and not DSO;
- 7. includes the charging of interest or late fees during a pending bankruptcy;
- 8. is duplicated in its entirety by the amount in Claim #10;
- 9. the entire \$6,000 amount was already paid in full (see Claim #10);
- 10. the majority of judgments included are void resulting from enforcement void debt;
- 11. created by a court lacking jurisdictional; and
- 12. deriving from a decree which is void;

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13. for debt that is unenforceable to collect under state law; and,

14. where generally the collection of debt unenforceable under state law is illegal.

### **Fraudulent Claim**

Third, the claimant continues to perpetrate fraudulent accounting potentially representing a 10(b)-5 securities fraud violation that is being reported to law enforcement and was caused by the claimant and at least one other person agreeing in advance agreed in advance to engage in or causing the performance of such conduct that included making false statements known to be false by the speaker(s) at the time they were made and omitting facts or suppressing information which, in light of the circumstances under which they were made, would be necessary to make the statements not misleading, or to employ a scheme or artifice or to engage in any act, practice, or course of conduct for the purpose, intent, and goal of knowingly and willfully misrepresenting to people, or failing to inform them, of material facts upon which they relied, directly or indirectly, in connection with the purchase of sale of securities offered by the Tanager Fund LP, regulated by the SEC and filed under Regulation D §504 and §505 exempt from registration but subject to the full force and powers pursuant to The Act, as amended, with restrictions set forth therein including the use of any means or instrumentality of interstate commerce, or of the U.S. Mail, or of electronic wires across state lines, for the ultimate goal of deceiving other people, defrauding investors, and taking the property belonging to one or more people. The claimant directly and through her attorney have encouraged the trustee to adopt this fraudulent accounting which defrauds investors in the Tanager Fund LP and, ultimately, is likely to incur substantial liability to the estate.

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#### **Set-Off Exceeds Claim**

Fourth, the claimant has failed to turnover property belonging to the estate located at 6821 39th Ave, Seattle, WA, 98115. While potentially having negative value, one valuation method valued it at par. The current balances of mortgages appear to be represented to the estate as \$50,000 greater than they currently should be. The value of the property represented to the estate appears to be the same value used in 2010 which is seems to be nearly \$200,000 less than its current value thus defrauding the estate of any appreciation which occurred while the property was in the estate and is owed to the estate for the benefit of the creditors. This set-off negates even all of the claims alleged and not objected to already by the trustee or otherwise herein.

#### **Intentional Wasting of Estate Assets**

Fifth, if any unsecured creditor wants to know why \$400,000 is being paid out of the estate while not a single \$1 is currently planned to be paid to any single unsecured creditor, ask this claimant who has conspired to commit securities fraud combined with the knowledge that came with being both a limited partner and an insider of an asset management partnership operated by her husband closing operations and having clients around the country making cash payments to various locations around the country during the closing of the business to return client funds to clients upon request while claiming that such payments returning client funds to clients should be investigated because she could not think of any reason that would cause distribution of cash payment to clients. A requested investigation was requested to "recover the funds" that were claimed to be kept out of the claimant's "reach" and where the return of clients' money was described as having "no apparent benefit" to her or the estate but could instead be used to

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pay expenses requested by the claimant. If the purpose then was not to keep the funds out of the claimaint's reach, by now the purpose has changed for this to now be the primary reason. The requested investigation costing \$400,000 has the ultimate result that no unsecured creditor, nor any of over eight secured creditors, will be paid even a single \$1. Any questions by any creditor about why these events were supported and requested should be directed to this claimant.

Dated August 31, 2012, signed in Seattle, WA.

s/Adam R. Grossman/

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